UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF TEXAS
GARRICK REECE,	
Plaintiff,	8 8 8
versus	§ CIVIL ACTION NO. 1:21-CV-437
WARDEN NORSWORTHY, et al.,	8 8 8
Defendants.	§ §

## MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Garrick Reece, an inmate confined at the Stiles Unit, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting plaintiff's motion to dismiss this action.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

One day after the report was entered plaintiff signed and submitted a motion for contempt judgment and injunctive relief complaining of delays in the delivery of prisoner mail at the Stiles Unit. However, the motion does not attempt to withdraw plaintiff's request for dismissal nor does it object to the report. The dismissal of this action is without prejudice. Plaintiff may reinstate the action on the court's active docket within thirty days from the date of the judgment.

## **ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. It is

**ORDERED** that plaintiff's motion to dismiss is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 30th day of September, 2021.

MARCIA A. CRONE UNITED STATES DISTRICT JUDGE

Maria a. Crone